



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/094,991 06/15/98 GASPARRINI

C 0140-4126

EXAMINER

IM22/0620

MORGAN & FINNEGAN
345 PARK AVENUE
NEW YORK NY 10154

ART UNIT PAPER NUMBER

1734
DATE MAILED:

06/20/00

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on 4/6/00
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 44-50 is/are pending in the application.
- Of the above, claim(s) 44-45 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 46-50 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 3
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 46-47 and 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Triolo in view of, if necessary, Wagg 564,353.

Triolo shows in his Figure the design of an apparatus for impregnating or soaking the strip of fabric which reads an applicant's broad definition of a cleaning fabric. Triolo shows his apparatus has bulk supply roll, an applicator means for applying a fluid composition which includes a solvent to the fabric and an impregnated fabric wound around a support thereby forming an impregnated fabric roll which suggests to one skilled in the art that the apparatus includes a means for forming the impregnated cleaning fabric. Although Triolo fails to teach the applicator means applies a solvent which does not readily evaporate at ambient condition, the

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recitaion that the applicator means applied a solvent which does not readily evaporate at ambient condition does not structurally further limit the apparatus claim since the coating is not structurally part of the apparatus and deemed the Triolo apparatus is structured and arranged to apply a variety including one within the scope of the claim absent a clear showing of unexpected results. Triolo fails to teach a means for mounting the bulk supply roll but conventional to provide a mounting means for a supply roll and, if necessary, is shown by Wagg. Triolo teaches rolls 26, 28 are heated and reduce thickness of the strip thereby reading on a calendering means. Triolo fails to teach the calendering means increasable diameter of the fabric supply roll and therefore reads on negative limitation of calendering without substantially increasing diameter of the cleaning fabric roll as set forth in claim 47 and, in event, inherently occurs due to the disclosed resilience of the fabric. Triolo teaches that rolls 14, 16, compress the fabric therefore roll 14 reads on a squeegee roll and roll 16 reads on squeegee and applicator roll.

Claims 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Millington.

Millington teaches the design of an apparatus for soaking a strip of material. Millington teaches the apparatus is comprises of a means for mounting a bulk supply roll, applicator means and means for forming a supply roll. Millington fails to teach the applicator means applies a solvent. However, it would have been obvious that the Millington applicator system is structured and arranged to apply a variety of materials to the substrate absent a clear showing of unexpected results. Millington teaches an excess coating removing means b5, b6, e and e1.

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Claims 46 and 48-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wagg 564,353 in view of, if necessary, Millington.

Wagg teaches the design of a soaking or saturating apparatus comprised of a means for mounting a bulk supply roll, an applicator 3 for applying a liquid material to the paper web and a squeegee 5 to squeeze excess coating from the coated web. ~~Wagg fails to teach the applicator~~ applies a solvent having the properties set forth in claim 46. However, it would have been obvious that the Wagg applicator assembly is structured and arranged to apply a variety of coating to the web including that of a solvent absent a clear showing of unexpected results and especially since a bath of liquid coloring material is conventionally known to contain a solvent. Wagg fails to disclose a means for forming an impregnated cleaning fabric supply roll but conventional to provide a means for forming the end product, the cleaning fabric, into a roll such as an old in the art winder stand and, if necessary, is shown by Millington.

Applicant's election with traverse of Group II in Paper No. 5 is acknowledged. The traversal is on the ground(s) that it is not an undue burden to examine Group I and Group II. This is not found persuasive because the examiner maintains tha apparatus as claimed can be used to practice another and materially different process such as applying ink to a fabric and therefore the arguments with each Group will be different and art applied to each Group will be different.

Any inquiry concerning this communication should be directed to Brenda Adele Lamb at telephone number (703) 308-2056.



BRENDA A. LAMB
PRIMARY EXAMINER
GROUP 1300